

PS 8
(Rev. 5/02 WVN)

**UNITED STATES DISTRICT COURT
for the
Northern District of West Virginia**

U.S.A. vs. JENNIFER ANN HOWELL

Docket No.: 2:20CR45-3

Petition for Action on Conditions of Pretrial Release

COMES NOW Matthew Bennett, U.S. PRETRIAL SERVICES OFFICER, presenting an official report upon the conduct of defendant, Jennifer Ann Howell, who was placed under pretrial release supervision by the Honorable Thomas S. Kleeh, Chief United States District Judge, sitting in the Court at Elkins, West Virginia, on February 9, 2022.

On October 14, 2021, pursuant to a written plea agreement, the defendant pled guilty before the Honorable Michael John Aloï, United States Magistrate Judge, to *Distribution of Methamphetamine – Aiding and Abetting*, as charged in Count Four of the Indictment. Sentencing is pending in this matter. The defendant was continued on bond with pretrial supervision.

See attached order setting conditions of release.

Respectfully presenting petition for action of court for cause as follows:

<u>Violation Number</u>	<u>Nature of Non-Compliance</u>
1.	<u>Violation of Condition 7(f): The defendant shall abide by the following restrictions on personal associations, residence, or travel: travel restricted to the Northern District of West Virginia unless approved in advance by Pretrial Services.</u>
2.	<u>Violation of Condition 3: The defendant must advise the court or the pretrial services office or supervising officer in writing before making any change of residence or telephone number.</u>
3.	<u>Violation of Violation 7(o): The defendant shall participate in a program of inpatient or outpatient substance abuse therapy and counseling if directed by the pretrial services office or supervising officer.</u>

The undersigned officer approved the defendant to travel to Myrtle Beach, South Carolina, for a group trip under the supervision of the Staggers Recovery House from August 27, 2022, to September 3, 2022. On

September 2, 2022, staff from the Staggers Recovery House advised that the defendant fled from their supervision with another participant. The defendant has failed to contact the supervising officer and report a change of address. Furthermore, the defendant has been terminated from the Staggers Recovery House. As of the writing of this report, the defendant's whereabouts are unknown.

PETITIONING THE COURT

☒ To issue a warrant

U. S. Pretrial Services Officer Recommendation: Due to the defendant's actions while on an approved out of district trip, it is respectfully recommended she be brought before the Court to show cause as to why her bond should not be revoked.

The term of supervision should be:

☒ Revoked



Respectfully,

A handwritten signature in black ink that reads "Matthew Bennett". The signature is written in a cursive, flowing style.

Matthew Bennett
U. S. Pretrial Services Officer
Date: September 8, 2022

THE COURT ORDERS

- ☐ No action
☒ The Issuance of a Warrant
☐ The Issuance of a Summons
☐ Other

ORDER OF COURT

Considered and ordered this 12th day
of September, 20 22 and ordered filed
and made a part of the records in the above
case.

Tom S. Kline

U. S. District Judge/Magistrate

UNITED STATES DISTRICT COURT

for the

Northern District of West Virginia

United States of America

v.

Jennifer Ann Howell

Defendant

Case No. 2:20-CR-45-3

AMENDED ORDER SETTING CONDITIONS OF RELEASE

IT IS ORDERED that the defendant's release is subject to these conditions:

- (1) The defendant must not violate federal, state, or local law while on release.
- (2) The defendant must cooperate in the collection of a DNA sample if it is authorized by 42 U.S.C. § 14135a.
- (3) The defendant must advise the court or the pretrial services office or supervising officer in writing before making any change of residence or telephone number.
- (4) The defendant must appear in court as required and, if convicted, must surrender as directed to serve a sentence that the court may impose.

The defendant must appear by:

Place

on

Date and Time

- (5) The defendant must sign an Appearance Bond, if ordered.

ADDITIONAL CONDITIONS OF RELEASE

IT IS FURTHER ORDERED that the defendant's release is subject to the conditions marked below:

- () (6) The defendant is placed in the custody of:

Person or organization

Address *(only if above is an organization)*

City and state

Tel. No.

who agrees to (a) supervise the defendant, (b) use every effort to assure the defendant's appearance at all court proceedings, and (c) notify the court immediately if the defendant violates a condition of release or is no longer in the custodian's custody.

Signed:

Custodian

Dat.

- (X) (7) The defendant shall:

- (X) (a) submit to supervision by and report for supervision to United States Probation, by calling Probation Officer Matthew
telephone number (304) 218-0667, immediately upon release from incarceration.
- (X) (b) continue or actively seek employment.
- (X) (c) continue or start an education program.
- (X) (d) surrender any passport to: US Probation Office, Northern District of West Virginia
- (X) (e) not obtain a passport or other international travel document.
- (X) (f) abide by the following restrictions on personal association, residence, or travel: travel restricted to Northern District of West Virginia unless approved in advance by Pretrial Services.
- (X) (g) avoid all contact, directly or indirectly, with any person who is or may be a victim or witness in the investigation or prosecution, including: anyone who is named in the indictment/information against you unless that person is your spouse, child, parent or sibling.
- () (h) get medical or psychiatric treatment: _____
- () (i) return to custody each _____ at _____ o'clock after being released at _____ o'clock for employment, schooling, or the following purposes: _____
- () (j) maintain residence at a halfway house or community corrections center, as the pretrial services office or supervising officer considers necessary.
- (X) (k) not possess a firearm, destructive device, or other weapon.
- (X) (l) not consume alcohol.
- (X) (m) not use or unlawfully possess a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner. pre
- (X) (n) submit to testing for a prohibited substance if required by the pretrial services office or supervising officer. Testing may be used with random frequency and may include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing. The defendant must not obstruct, attempt to obstruct, or tamper with the efficiency and accuracy of prohibited substance screening or testing.
- (X) (o) participate in a program of inpatient or outpatient substance abuse therapy and counseling if directed by the pretrial services office or supervising officer.
- () (p) participate in one of the following location restriction programs and comply with its requirements as directed.
 - () (i) **Curfew.** You are restricted to your residence everyday from _____ to _____ directed by the pretrial services office or supervising officer; or
 - () (ii) **Home Detention.** You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities approved in advance by the pretrial services office or supervising officer; or
 - () (iii) **Home Incarceration.** You are restricted to 24-hour-a-day lock-down at your residence except for medical necessities and court appearances or other activities specifically approved by the court.
- () (q) submit to location monitoring as directed by the pretrial services office or supervising officer and comply with all of the program requirements and instructions provided.
 - () You must pay all or part of the cost of the program based on your ability to pay as determined by the pretrial services office or supervising officer.
- (X) (r) report as soon as possible, to the pretrial services office or supervising officer, every contact with law enforcement personnel, including arrests, questioning, or traffic stops.
- (X) (s) not purchase, possess or use any paraphernalia related to any controlled substance.
- (X) (t) not purchase, possess or consume any organic or synthetic intoxicants, including bath salts, synthetic cannabinoids or other designer stimulants, and shall not frequent places that sell or distribute synthetic cannabinoids or designer stimulants.
- (X) (u) not abuse prescription medication.
- (X) (v) shall be prohibited from possessing a potentially vicious/dangerous animal or residing with anyone who possesses a potentially vicious animal. The Probation Officer has sole authority to determine what animals are considered to be potentially vicious/dangerous.
- (X) (w) participate in a program of mental health counseling if directed by the pretrial services office or supervising officer.

ADVICE OF PENALTIES AND SANCTIONS

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of your release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (*i.e.*, in addition to) to any other sentence you receive.

It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

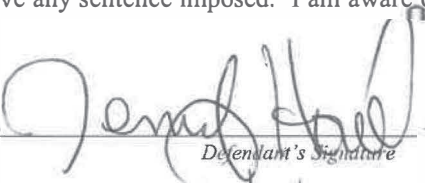
If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more – you will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years – you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony – you will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor – you will be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

Acknowledgment of the Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.



Defendant's Signature

City and State

Directions to the United States Marshal

- () The defendant is ORDERED released after processing.
- () The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judge that the defendant has posted bond and/or complied with all other conditions for release. If still in custody, the defendant must be produced before the appropriate judge at the time and place specified.

Dated: February 7, 2022

/s/ Thomas S. Kleeh

Judicial Officer's Signature

Thomas S. Kleeh, United States District Judge

Printed name and title

DISTRIBUTION: COURT DEFENDANT PRETRIAL SERVICE U.S. ATTORNEY U.S. MARSHAL

UNITED STATES DISTRICT COURT

for the

Northern District of West Virginia

United States of America

v.

JENNIFER ANN HOWELL

11214656

2287-0912-1969-B

Defendant

Case No. 2:20CR45-003

RECEIVED

By PTaylor at 3:43 pm, Sep 12, 2022

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay

(name of person to be arrested) JENNIFER ANN HOWELL

who is accused of an offense or violation based on the following document filed with the court:

- ☐ Indictment ☐ Superseding Indictment ☐ Information ☐ Superseding Information ☐ Complaint
☐ Probation Violation Petition ☐ Supervised Release Violation Petition ☒ Violation Notice ☐ Order of the Court

This offense is briefly described as follows:

See [199] Order on Petition.

Date: 09/12/2022

CHERYL DEAN RILEY, Clerk of Court

Issuing officer's signature

City and state: Elkins, West Virginia

By: C Daniels, Deputy Clerk

Printed name and title

Return

This warrant was received on (date) 09/12/2022, and the person was arrested on (date) _____
at (city and state) _____.

Date: _____

Arresting officer's signature

For: DUSM Duran

Printed name and title